



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Akira SAIKAWA et al.

Title: SUSTAINED-RELEASE COMPOSITIONS, PROCESS FOR PRODUCING THE SAME AND UTILIZATION THEREOF

Appl. No.: 10/799,320

Filing Date: 3/12/2004

Examiner: Jeffrey S. Eberhard

Art Unit: 1609

Conf. No. 8190

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56.

A copy of each non-U.S. patent document is being submitted to comply with the provisions of 37 CFR § 1.97 and § 1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(iii) to submit copies of cited pending applications which are stored in the USPTO's Image File Wrapper (IFW) system. Applications filed on or after June 30, 2003, and international applications that have entered the national stage on or after June 30, 2003, have been or are being scanned into the IFW system. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to OG Notice dated October 19, 2004, *Waiver of the Copy Requirement in 37 CFR 1.98 for Cited Pending U.S. Patent Applications.*

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Atty. Dkt. No. 074129-0546

Appl. No. 10/799,320

Response to non-final Office action dated July 11, 2007

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

The listed documents are being submitted in compliance with 37 CFR § 1.97(c), before the mailing date of either a final action under 37 CFR § 1.113, a notice of allowance under 37 CFR § 1.311, or an action that otherwise closes prosecution in the application.

This application 10/799,320 is a Division of 09/582,926, filed 07-05-2000, now Patent no. 6,740,634, which application is National Stage Entry of PCT/JP99/00086 01-13-1999.

In the prosecution of the Canadian counterpart application, the Canadian examiner noted:

(1) US application 10/182,731, published on July 13, 2003, as US 2003-0134800-A1, which application is the National Stage Entry of PCT/JP02/06527, filed 06-28-2002; and

(2) US application 10/019,786, now USPN 7,265,157, which application is National Stage Entry of PCT/JP00/04683, filed 07-13-2000. Child Continuity Data of application no. 10/019,786 includes 11/782,707, filed 07-25-2007, which is pending.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR § 1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR § 1.97(c) in the amount of \$180.00.

Atty. Dkt. No. 074129-0546  
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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 10-11-2007

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By \_\_\_\_\_

  
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